HONOURABLE SRI JUSTICE A. GOPAL REDDY

AND

HONOURABLE SRI JUSTICE P. SWAROOP REDDY

WRIT PETITION No.5572 OF 2007

DATE: 05-06-2007

Between:

Smt. Pratibha & another

.. Petitioners

And

The State of A.P.,
Rep. by Station House Officer
Chikkadpally Police Station,
Chikkadpally, Hyderabad & 2 others

.. Respondents

ORDER: (Per Hon'ble Sri Justice A. Gopal Reddy)

Petitioners, who are daughters of respondent No.3 and sisters of respondent No.2, moved this Court under Article 226 of Constitution of India for issuance of a Writ in the nature of Habeas Corpus stating that respondent No.2 illegally confined their mother, respondent No.3, at her house in Mumbai.

Heard the learned counsel on either side and perused the record.

This Court by order dated 22-03-2007 appointed

Smt. G. Lakshmi, Advocate as Advocate Commissioner to visit the house of respondent No.2 and to file a report with regard to physical condition of respondent No.3 and also the care that she is receiving.

Advocate Commissioner filed her report on 05-04-2007 stating that though she went to Mumbai, she could not execute the commission warrant as respondent No.3 was not in the house of respondent No.2 and in view of threatening calls also, she could not locate the whereabouts of respondent No.3 in spite of her best efforts.

In the above circumstances, this Court by order dated 16-04-2007 permitted the petitioners to visit respondent No.3 along with their counsel and on 24-04-2007 learned counsel for the petitioners submitted that he along with the petitioners went to Mumbai and met respondent No.3 at Chiranjeevi Children's NICU, ICU, Maternity, Surgical & General Nursing Home where respondent No.3 was undergoing treatment as she suffered from paralytic attack and there he also met respondent No.2 and her husband.

Since respondent No.3 is undergoing treatment in a hospital, it shows that respondent No.2 and her husband are taking care of her very well and no further orders are required to be passed.

In these circumstances, learned counsel for the petitioners submits that no further orders are required to be passed in this petition and liberty may be granted to the petitioners to avail the

remedies that are available to them in law.

Accepting the request of the learned counsel,
Writ Petition is dismissed with a liberty to the petitioners to avail the remedies available to them as per law. No costs.

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A. GOPAL REDDY

June 05, 2007.

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P. SWAROOP REDDY, J

PV